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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

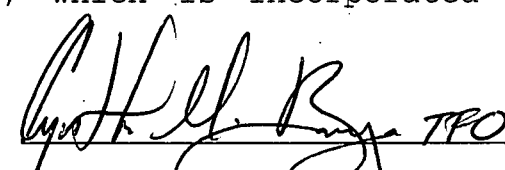
08 MJ 8133

1	UNITED STATES OF AMERICA,)	Magistrate's Case No.:
2)	
3	Plaintiff,)	COMPLAINT FOR VIOLATION OF
4)	
5	v.)	Title 21 U.S.C. § 841(a)(1)
6)	Possession of a Controlled
7	Juan Bautista BELTRAN-BELTRAN)	Substance with Intent to
8)	Distribute
9)	
10	Defendant.)	
11)	

The undersigned complainant duly sworn states:

That on or about February 12, 2008, within the Southern District of California, defendant Juan Bautista BELTRAN-BELTRAN did knowingly and intentionally possess, with intent to distribute approximately 1.54 kilograms (3.4 pounds) of methamphetamine, Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.


Cynthia M. Barajas, Task Force Officer
Drug Enforcement Administration

Sworn to before me and subscribed in my presence, February 13, 2008.


Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

CSM

1 UNITED STATES OF AMERICA

2 v.

3 Juan Bautista BELTRAN-BELTRAN

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents,
6 and notes furnished to Drug Enforcement Administration Task Force
7 Officer Cynthia M. Barajas.

8 On February 12, 2008, at approximately 9:00 a.m. U. S. Border
9 Patrol (USBP) Agents S. Olivares and D. Gonzalez were assigned to
10 the Highway 86 Checkpoint near Westmorland, California. Agent
11 Gonzalez was conducting immigration inspection and noticed a
12 burgundy Honda motorcycle approach his location. Agent Gonzalez
13 identified himself as United States Border Patrol Agent, and
14 contacted the driver of the motorcycle who was later identified
15 himself as Juan Bautista BELTRAN-BELTRAN. BELTRAN who was driving
16 a Honda AspenCade Motorcycle, bearing Baja California Mexico
17 license plate A735J, identified himself as a Mexican citizen and
18 presented Agent Gonzalez with a valid Border Crossing Card.

19 Agent Olivares with his service canine approached BELTRAN's
20 motorcycle in the secondary inspection area. The canine alerted to
21 the front head light of the motorcycle. BELTRAN was asked to step
22 inside the Checkpoint and was escorted by Agent Lopez. Agent
23 Olivares continued to conduct a K-9 sniff on the front left side of
24 the motorcycle near the gas tank was a storage compartment. Agent
25 Olivares removed the four screws of the compartment and pulled out
26 a total of three cylinder shaped packages wrapped in what appeared
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28

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to be carbon paper, and with black electrical tape.

1 Agent Miranda tested a package with a Narcotics Identification
2 System, which tested positive for the properties of
3 methamphetamine. The total weight of the three (3) packages was
4 1.54 kilograms (3.4 pounds) value at \$108,800.00.

5 The Drug Enforcement Administration was notified and
6 responded. Task Force Officer C. Barajas and M. Grossman arrived at
7 the Highway 86 Checkpoint. Task Force Officer C. Barajas read
8 BELTRAN his Miranda warnings verbatim in the Spanish language from
9 a DEA 13A card as witnessed by Agent Grossman. BELTRAN stated he
10 understood his rights and was willing to answer questions without
11 the presence of an attorney.
12

13 BELTRAN admitted knowledge of the narcotics concealed within
14 the motorcycle. BELTRAN stated he was to be paid \$1,000.00 for
15 transporting the narcotics. BELTRAN stated after he was taken in
16 secondary by the Border Patrol Agents and saw the packages he knew
17 that the product was ICE and not marijuana.
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